

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Lorinda Linnen,

Civil Action No. 3:21-cv-1522-CMC

Plaintiff,

vs.

ORDER

South Carolina In-Home Partner-I, LLC,
d/b/a Providence Home Health and LHC
Group, Inc.

Defendants.

This matter is before the court on Plaintiff's Complaint alleging employment discrimination. ECF No. 1. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2), D.S.C., this matter was referred to United States Magistrate Judge Paige J. Gossett for pre-trial proceedings and a Report and Recommendation ("Report") on dispositive issues.

On February 3, 2022, Plaintiff's counsel filed a motion to withdraw, which was consented to by Plaintiff and was granted. ECF Nos. 43, 44. On February 18, 2022, Plaintiff, proceeding *pro se*, filed a motion indicating she wished to dismiss her case due to lack of funds. ECF No. 49. Defendants filed a response, consenting to the motion to dismiss and stipulating to the voluntary dismissal of all claims asserted. ECF No. 50.

On February 24, 2022, the Magistrate Judge entered a Report recommending the motion be granted and the case be dismissed under Fed. R. Civ. P. 41(a)(2). ECF No. 51. The parties were given notice of the right to file objections to the Report and the consequences of failing to do so. Neither party filed objections and the time for doing so has expired.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the

court. *See Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b). The court reviews the Report only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”) (citation omitted).

After a review of the record, the applicable law, and the Report and Recommendation of the Magistrate Judge, the court finds no clear error and agrees with the Report’s recommendation the motion should be granted and this matter dismissed. Accordingly, the court adopts the Report by reference in this Order. Plaintiff’s motion to voluntarily dismiss her case (ECF No. 49) is granted, and this action is dismissed without prejudice.

IT IS SO ORDERED.

s/Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
Senior United States District Judge

Columbia, South Carolina
March 21, 2022